

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD PAUL,

Defendant.

2:10-CR-565-RLH (PAL)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on January 4, 2011 RICHARD PAUL pled guilty to Counts One and Thirteen of a Fourteen Count Superseding Criminal Indictment charging him in Count One with Conspiracy to: Distribution of Explosive Materials by a Non-Licensee (Count Two) in violation of Title 18, United States Code, Section 842(a)(3)(B) and 844(a); Transportation of Explosive Materials by a Non-Licensee (Count Three) in violation of Title 18, United States Code, Section 842(a)(3)(A) and 844(a); Transporting a Destructive Device Without a License (Count Four) in violation of Title 18, United States Code, Section 922(a)(4); Possession of a Machine Gun (Count Five) and Illegal Transfer of a Machine Gun (Count Six) in violation of Title 18, United States Code, Section 922(o); Possession of an Unregistered NFA Firearm (Count Seven) in violation of Title 26, United States Code, Section 5861(d); Transfer of a Firearm in violation of the NFA (Count Eight) in violation of Title 26, United States Code, Section 5861(e); Transporting in Interstate Commerce an Unregistered NFA firearm (Count Nine) in violation of Title 26, United States Code, Section 5861(j); Possession of Unlawfully Imported Firearm (Count Ten) in violation of Title 26, United States Code, Sections

1 5844 and 5861(k); Dealing Firearms Without a License (Count Eleven) in violation of Title 18, United
 2 States Code, Section 922(a)(1)(A); Illegal Possession of a Machine Gun (Count Twelve) and Illegal
 3 Transfer of a Machine Gun (Count Thirteen) in violation of Title 18, United States Code, Section
 4 922(o); and Possession of a Stolen Firearm (Count Fourteen) in violation of Title 18, United States
 5 Code, Section 922(j), all in violation of Title 18, United States Code, Section 371; and separately in
 6 Count Three with Transportation of Explosive Materials by a Non-Licensee in violation of Title 18,
 7 United States Code, Section 842(a)(3)(A) and 844(a).

8 This Court finds defendant RICHARD PAUL agreed to the forfeiture of the property set forth
 9 in Forfeiture Allegations of the Superseding Criminal Indictment.

10 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of
 11 America has shown the requisite nexus between property set forth in the Forfeiture Allegations of the
 12 Superseding Criminal Indictment and the offenses to which defendant RICHARD PAUL pled guilty.

13 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section
 14 924(d)(1) and Title 28, United States Code, Section 2461(c); Title 18, United States Code, Section
 15 981(a)(1)(C) and Title 28, United States Code, Section 2461(c); Title 21, United States Code, Section
 16 853(p); and Title 26, United States Code, Section 5872(a) and Title 28, United States Code, Section
 17 2461(c):

- 18 a. Romarm Model GP-WASR AK-47 style 7.62mm rifle, serial # PU-6692-85;
- 19 b. YUGO model 59/66, 7.62mm rifle, serial # 551451;
- 20 c. Norinco, Model SKS, 7.62mm rifle, serial # 20029181;
- 21 d. IZHMAASH model Saiga, 7.62 mm rifle, serial # H03104475;
- 22 e. Uzi 9mm semi-auto pistol, serial # UP03531;
- 23 f. JLD Enterprises Model PTR91, .308 caliber semi-auto rifle, serial # A1341;
- 24 g. Harrington and Richardson, Model Handi Rifle, .223 caliber rifle, serial #
 25 HX200769;
- 26 h. Ruger Mini-14, .223 caliber semi-auto rifle, serial # 185-35560;

- I. UNK, M1, 30 Cal rifle, serial # 8847153;
- j. Poland, Model PMKMS (AKM-type), 7.62 x 39 mm caliber machine gun, serial # KM15107; with one 30-round magazine;
- k. Romania, Model AIM / PM63 (AKM-type), 7.62 x 39 mm caliber machine gun, serial # FG0211; with one 30-round magazine;
- l. Tula, Model AKM, 7.62 x 39 caliber machine gun, serial # 596014;
- m. Izhevsk, Model AKMS, 7.62 x 39 caliber machine gun, serial # 219291;
- n. Vulcan Arms Model V15, 5.56mm, full-auto machine gun rifle, serial # P8244;
- o. Romanian, Model AIM / PM63 (AKM-type), 7.62 x 39mm caliber machine gun, serial # NU4956;
- p. Tula, model AKM, 7.62 x 39mm caliber machine gun, serial # 981151;
- q. Izhevsk, Mod. AKM, 7.62 x 39 mm cal. machine gun, identified by number B1601;
- r. Bulgarian, Mod. AKK (AK-47), 7.62 x 39mm cal. machine gun, serial # KO 154011;
- s. Romanian, Model AIMS/PM65 (AKM-type), 7.62x39mm cal. machine gun, serial # AF2192
- t. AKM-Type, 7.62x39 mm cal. machine gun, maker uncertain, serial # UM-7313-05;
- u. Iraq, Model Tabuk (AKM-Type), 7.62x39mm cal. machine gun, serial # 8037669;
- v. Zastava Arms, Model M70AB2, 7.62x39mm cal. machine gun, serial # B-95917;
- w. Tula, Model AKM, 7.62 X 39mm caliber machine gun, serial # 842782;
- x. Tula, Model AKM, 7.62 X 39mm machine gun, serial # 596085;

- y. Norinco, Model 56-1 7.62 X 39mm caliber machine gun, serial # 26022877;
- z. Tula, Model AKM 7.62 X 39mm caliber machine gun, serial # 597584;
- aa. Zastava Arms, model M70AB2, 7.62 X 39mm caliber machine gun, serial # B-96106;
- bb. Zastava Arms, Model M70AB2, 7.62 X 39mm caliber machine gun, serial # 602379;
- cc. Ruger, P95DC,, 9mm pistol, serial # 314-38221;
- dd. Ruger, P95DC, 9mm pistol, serial # 315-58276;
- ee. Ruger, P95DC, 9mm pistol, serial # 315-65017;
- ff. Ruger, P95DC, 9mm, serial # 314-39509;
- gg. Ruger, P95DC, 9mm, serial # 315-65022;
- hh. Arms Corps M-21/14 7.62 rifle, serial # 11738;
- ii. Savage 300 Rem. rifle, serial # F936150;
- jj. Colt, AT-15 .223 rifle, serial # L8D032093;
- kk. Ithaca, unknown caliber shotgun, serial # 371290356;
- ll. Ruger P95, 9mm serial # 314-34728;
- mm. Deringer, .45 caliber pistol, serial # 48977;
- nn. Smith & Wesson, .357 revolver, serial # BNW1214;
- oo. Masterpiece Arms, .45 caliber pistol with extension, serial # A4802;
- pp. Remington, Model 742, serial # 4771;
- qq. Ruger, model P95DC, 9mm pistol, serial # 314-34729;
- rr. Ruger, model P95DC, 9mm pistol, serial # 315-65178;
- ss. Sig Sauer, model P220, .45 caliber pistol, serial # G369927;
- tt. Unknown manufacturer, unknown model, unknown caliber rifle, serial # 61134;
- uu. New England Arms, model P, 12 GA shotgun, serial # NM323393;

- 1 vv. Unknown manufacturer, unknown model, unknown caliber rifle, serial #
2 32413;
- 3 ww. Unknown manufacturer, model 98, unknown caliber rifle, serial # T9348;
- 4 xx. Winchester, model 1200, 12 GA shotgun, serial # L1156207;
- 5 yy. Unknown manufacturer, unknown model, unknown caliber rifle, serial #
6 4250;
- 7 zz. Unknown manufacturer, unknown model, unknown caliber machine gun,
8 serial # F-3452;
- 9 aaa. Unknown manufacturer, unknown model, unknown caliber machine gun,
10 serial # 56401731;
- 11 bbb. Unknown manufacturer, unknown model, unknown caliber machine gun,
12 serial # 598675;
- 13 ccc. Ruger, model P95DC, 9mm pistol, serial # 315-65182;
- 14 ddd. Star, Bonifacio Echeverria, model Gold Setra 2002, 9mm hand gun, serial
15 # 60519;
- 16 eee. Beretta, Pietro S.P.A., model 92S, 9mm hand gun, serial # X22657Z;
- 17 fff. Ruger, model P95DC, 9mm caliber pistol, serial # 315-63353;
- 18 ggg. Unknown manufacturer, model MP-5, 9mm caliber machine gun, serial
19 # C49892;
- 20 hhh. Beretta, Pietro S.P.A., model 12S, 9mm caliber machine gun, serial #
21 F08191;
- 22 iii. Unknown manufacturer, unknown model, unknown caliber machine gun,
23 serial # U6335;
- 24 jjj. Unknown manufacturer, model M92, unknown caliber machine gun, serial
25 # 83566;
- 26

1 kkk. Unknown manufacturer, model M92, unknown caliber machine gun, serial
2 # 83587;
3 lll. Unknown manufacturer, model M92, unknown caliber machine gun, serial
4 # 83683;
5 mmm. Unknown manufacturer, model M92, unknown caliber machine gun,
6 serial # 83692;
7 nnn. Unknown manufacturer, model M92, unknown caliber machine gun, serial
8 # 82296;
9 ooo. Unknown manufacturer, unknown model, unknown caliber machine gun,
10 serial # SH2783;
11 ppp. Ruger, model P95DC, 9mm caliber hand gun, serial # 314-35165;
12 qq. Glock, model 19, 9mm caliber hand gun, serial # GND176;
13 rrr. Ruger, model P95DC, 9mm caliber hand gun, serial # 314-39389;
14 sss. Ruger, model P95DC, 9mm caliber pistol, serial # 315-64373;
15 ttt. Astra, model 800, 9mm handgun, serial # 830267;
16 uuu. any and all ammunition;
17 vvv. \$25,584.00 in United States Currency; and
18 www. an *in personam* criminal forfeiture money judgment of \$38,220.00 in United
19 States Currency (“property”).

20 This Court finds the United States of America is now entitled to, and should, reduce the
21 aforementioned property to the possession of the United States of America.

22 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
23 United States of America should seize the aforementioned property.

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
25 RICHARD PAUL in the aforementioned property is forfeited and is vested in the United States of
26 America and shall be safely held by the United States of America until further order of the Court.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
2 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
3 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
4 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state
5 the name and contact information for the government attorney to be served with the petition, pursuant
6 to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

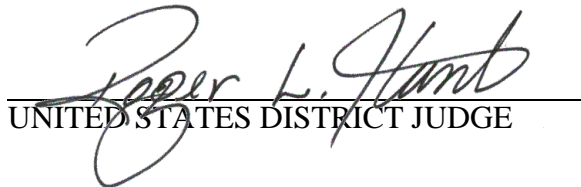
7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
8 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
10 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
11 following address at the time of filing:

12 MICHAEL A. HUMPHREYS
Assistant United States Attorney
13 DANIEL D. HOLLINGSWORTH
Assistant United States Attorney
14 Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
15 Las Vegas, Nevada 89101.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
17 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
18 following publication of notice of seizure and intent to administratively forfeit the above-described
19 property.

20 DATED this 24th day of January, 2011.

21
22
23 
24 UNITED STATES DISTRICT JUDGE
25
26

PROOF OF SERVICE

I, Alexandra M. McWhorter, certify that the following individuals were served with copies of the Preliminary Order of Forfeiture on January 21, 2010 by the below identified method of service:

E-mail/ECF

James F. Pokorny
Law Office of James F/ Pokorny
110 West C. Street
San Diego, CA 92101
Email: james@jamespokornylaw.com
Counsel for Nicholas Bickle

Patrick E. McDonald
Steven B. Wolfson, Chtd.
601 South 7th Street
Las Vegas, NV 89101
Email: pat@wolfsonforyourdefense.com
Counsel for Nicholas Bickle

Ben Nadig
520 South 4th Street
Las Vegas, NV 89101
Email: bennadig@yahoo.com
Counsel for Andrew Kaufman

Shari L. Kaufman
William C. Carrico
Federal Public Defender
411 E. Bonneville Ave.
Suite 250
Las Vegas, NV 89101
Email: ECF_Vegas@FD.ORG
Counsel for Richard Paul

/s/AlexandraMMcWhorter
ALEXANDRA M. MCWHORTER
Forfeiture Support Associate Paralegal